

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

LUIS ALFONSO LEON,

Plaintiff,

v.

SEDLACK, *et al.*,

Defendants.

CASE NO. 2:23-cv-1336-JLR-GJL

ORDER TO SHOW CAUSE

The District Court has referred this action filed pursuant to 42 U.S.C. § 1983 to United States Magistrate Judge Grady J. Leupold.

Plaintiff Luis Alfonso Leon, proceeding *pro se*, commenced this action in August 2023. Upon receipt of Plaintiff's proposed Complaint (Dkt. 1), the Clerk of Court notified Plaintiff that his pleadings were deficient because he had not paid the \$402 filing fee or applied to proceed *In Forma Pauperis* ("IFP") (Dkt. 2). The Clerk of Court also informed Plaintiff that he had until September 28, 2023, to correct this deficiency. *Id.*

1 On September 7, 2023, Plaintiff filed an incomplete IFP Application (Dkt. 4), and the  
2 Clerk of Court informed him he needed to submit a copy of his Prison Trust Account Statement  
3 on or before November 1, 2023, for his Application to be considered complete (Dkt. 6).

4 After sending the second Deficiency Notice, the Court was informed that Plaintiff's  
5 address had changed. Dkt. 7. To ensure Plaintiff was aware that he needed to file a copy of his  
6 Prison Trust Account Statement, the Clerk of Court sent a third Deficiency Notice to Plaintiff's  
7 new address and extended the deadline to cure until December 8, 2023. Dkt. 8. On November 21,  
8 2023, the third Deficiency Notice was returned as "refused." Dkt. 9.

9 On January 2, 2024, the Court received notice that Plaintiff's address changed for a  
10 second time. Dkt. 10. Two days later, the Clerk of Court sent a fourth Deficiency Notice to  
11 Plaintiff's new address and extended the deadline to cure his IFP Application until February 5,  
12 2024. Dkt. 11. This twice extended deadline has now elapsed once again without a response from  
13 the Plaintiff.

14 Accordingly, Plaintiff is now **ORDERED** to show cause why his case should not be  
15 dismissed for failure to prosecute. If Plaintiff fails to respond to the Court's Order on or before  
16 **March 5, 2024**, the Court will recommend dismissal of this action without prejudice for failure  
17 to prosecute and for failure to comply with a Court Order.

18 Dated this 12th day of February, 2024.

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21 Grady J. Leupold  
22 United States Magistrate Judge  
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